

**MINUTES**  
**LANCASTER COUNTY BOARD OF EQUALIZATION**  
**TUESDAY, FEBRUARY 9, 1999**  
**COUNTY COMMISSIONERS CHAMBERS**  
**FIRST FLOOR, COUNTY-CITY BUILDING**  
**1:30 P.M.**

Commissioners Present: Kathy Campbell, Chair  
Larry Hudkins  
Linda Steinman  
Bob Workman

Commissioners Absent: Bernie Heier

Others Present: Norm Agena, County Assessor  
Kerry Eagan, Chief Administrative Officer  
Bruce Medcalf, County Clerk  
Doug Cyr, Deputy County Attorney

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, February 2, 1999.  
(A copy of these minutes is on file in the Office of the Lancaster County Clerk.)

**MOTION:** Hudkins moved and Steinman seconded approval of the minutes of February 2, 1999. On call Campbell, Hudkins, Workman and Steinman voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 14 additions and deductions to the tax assessment rolls per Exhibit A.  
(1999187) (1999199)

**MOTION:** Steinman moved and Hudkins seconded approval. On call Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.

- 3) **MOTOR VEHICLE TAX EXEMPTIONS:**

Calvary Cemetery & Mausoleum  
Nebraska Annual Conference of the United Methodist Church  
Our Saviours Lutheran Church  
Trinity Lutheran Church  
YMCA of Lincoln

**MOTION:** Steinman moved and Workman seconded approval of the motor vehicle tax exemptions. On call Steinman, Workman, Campbell and Hudkins voted aye. Motion carried.

4) **SETTING OF A PUBLIC HEARING FOR NOTICE OF VALUATION CHANGE:**

By direction of the Chair a public hearing was set for Tuesday, February 23, 1999 at 2:30 p.m. for notice of valuation change for omitted or undervalued property for Gerald H and Shirley R Maddox.

5) **ADJOURNMENT:**

By direction of the Chair the meeting was adjourned.

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Bruce Medcalf  
County Clerk

**MINUTES**  
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Commissioners Present: Kathy Campbell, Chair  
Larry Hudkins  
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Bob Workman

Commissioners Absent: Bernie Heier

Others Present: Kerry Eagan, Chief Administrative Officer  
Bruce Medcalf, County Clerk  
Doug Cyr, Deputy County Attorney

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, February 2, 1999. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)

**MOTION:** Steinman moved and Hudkins seconded approval of the minutes of February 2, 1999. On call Campbell, Hudkins, Workman and Steinman voted aye. Motion carried.

- 2) **CLAIMS:** Approval of all claims processed through Tuesday, February 9, 1999.

**MOTION:** Hudkins moved and Workman seconded approval. On call Campbell, Steinman, Hudkins and Workman voted aye.

- 3) **ITEMS OF PUBLIC PARTICIPATION:**

A. An exceptional circumstance award, in the amount of \$300, for Virgine Vester, an employee at Lancaster Manor. (1999220)

**MOTION:** Hudkins moved and Workman seconded approval. On call Steinman, Workman, Campbell and Hudkins voted aye. Motion carried.

B. Commuter Rail between Omaha and Lincoln - Richard Schemling, Pro Rail Nebraska Board of Directors; Dan Lutz, Pro Rail Nebraska President

Dan Lutz, President of Pro Rail Nebraska, appeared and briefed the Board on Legislative Bill (LB) 829 which creates the Nebraska Transit and Railway Advisory Council (NTRAC) and would conduct framework legislation allowing initiation of commuter rail service throughout Nebraska.

3) ITEMS OF PUBLIC PARTICIPATION CONTINUED:

Lutz stated the presentation to the Board would focus on a commuter rail between Lincoln and Omaha. He indicated there are three reasons for the proposed rail service:

- a. Growth in the Lincoln and Omaha metropolitan areas
- b. Congestion of Interstate 80 between Lincoln and Omaha
- c. Development of entertainment and a recreational complex at Mahoney State Park

Dick Schemling, Pro Rail Nebraska Board of Directors, appeared and gave a brief description of the train stating there would be a cab at both ends of the train with one or more cars in between. Schemling stated the train would be diesel powered with the speed being approximately 100 to 120 miles per hour.

The 20 year plan, he stated, is to widen Interstate 80 between Omaha and York to six-lanes which will mean traffic delays.

Schemling referred to a chart showing the following commuter railway routes and stops:

- \* Route from the Lincoln Airport to Eppley Airport in Omaha
- \* 14<sup>th</sup> Street in Lincoln
- \* Havelock
- \* Waverly
- \* Ashland
- \* Gretna
- \* Millard
- \* Ralston
- \* 42<sup>nd</sup> Street in Omaha
- \* Downtown Omaha

Schemling stated the Department of Roads' estimated cost to construct a six-lane interstate system between Omaha and Lincoln would be approximately \$360,000,000. The cost for the commuter rail would be an expense of approximately \$212,000,000. The concept, he stated, is to use existing Burlington Northern Santa Fe right-of-way. Track sharing is a possibility between Omaha and Ashland, however, a third track may need to be laid between Ashland and Lincoln due to freight traffic. Schemling explained that the commuter rail would be in use from 6 a.m. to 1 a.m. and Burlington Northern Santa Fe would use the third track between 1 a.m. to 6 a.m. which may allow for cost sharing for the construction of the third track.

Schemling explained that some funding would be available through the Urban Mass Transit Fund which is separate from the Highway Trust Fund and that NTRAC would be able to issue revenue bonds payable out of the fares charged to ride the train.

3) **ITEMS OF PUBLIC PARTICIPATION CONTINUED:**

The commuter rail, Schemling stated, would spur development along the route and that fairly dense development along the rail line would be required to make the railway work. He stated the County Board would play an important role to the project due to zoning jurisdiction.

In response to a question asked by Workman, Schemling stated Madison, Wisconsin is beginning to move toward commuter rails, as well as Burlington, Vermont.

Hudkins asked if anyone has held discussions with Burlington Northern regarding issues in relation with track sharing.

Schemling stated he has spoken with Bob Carter, Division Engineer, who indicated Burlington Northern would be willing to look at the concept.

In response to a question asked by Campbell, Schemling stated Omaha has a good public transportation system. He explained they hope to have a shuttle meeting the train in Lincoln to transport passengers to the downtown area. Omaha would have the Metro Area Transit (MAT) busses connecting with the train at Ralston, 42<sup>nd</sup> Street and the main depot to transport passengers to a connecting route.

Schemling urged the Board to adopt a resolution or draft a letter to Senator Bromm supporting the passage of LB 829 in order for a feasibility study to be conducted.

4) **OLD BUSINESS:**

- A. A First Amendment and Restatement of an agreement in relation to the paving of Yankee Hill Road from South 14<sup>th</sup> Street to South 27<sup>th</sup> Street, at fees as outlined in the agreement. (1999180)

Don Thomas, County Engineer, stated the changes are to cover thicker and wider paving and a wider grading section.

**MOTION:** Steinman moved and Workman seconded approval. On call Workman, Hudkins, Campbell and Steinman voted aye. Motion carried.

- B. A resolution regarding Comprehensive Plan Amendment 94-31 amending the land use plan and adding text regarding land use, infrastructure and resources for the S1 and S2 Sub-Basins, generally contained within an area from South 14<sup>th</sup> Street on the west to South 48<sup>th</sup> Street on the east, from one-half mile south of Pine Lake Road on the north to Saltillo Road on the South, consisting of 2,876.1 acres (1999179)

**MOTION:** Steinman moved and Hudkins seconded approval of Resolution 99-179. On call Hudkins, Steinman, Workman and Campbell voted aye. Motion carried.

5) **NEW BUSINESS:**

- A. A grant contract with Transfiguration, Inc. for funding, at rates as specified in the contract, in exchange for developmental disability services to Lancaster County residents, beginning July 1, 1998 to June 30, 1999. (1999186)

Doug Cyr, Deputy County Attorney, recommended the Board defer action on the contract to allow for modification of language.

Kerry Eagan, Chief Administrative Officer, recommended that the Board approve the item and noted it was the standard grant contract the Board has been using for ten years.

Campbell noted the contract was developed by the County Attorney's Office.

**MOTION:** Hudkins moved and Workman seconded to defer action for one week to allow further review by the County Attorney's Office. On call Steinman, Workman, Campbell and Hudkins voted aye. Motion carried.

- B. A contract with Monarch Oil, Inc., in the amount of \$13,800, for crack sealing at the following locations: (1999215)

- \* Northwest 48<sup>th</sup> Street from Fletcher Avenue north to Highway 34
- \* Wildrose Lane from Northwest 31<sup>st</sup> Street east to Northwest 27<sup>th</sup> Street
- \* Panama Road from South 96<sup>th</sup> Street east to the Village of Panama
- \* Firth Road from South 82<sup>nd</sup> Street east to Highway 43

**MOTION:** Hudkins moved and Steinman seconded approval. On call Workman, Hudkins, Campbell and Steinman voted aye. Motion carried.

- C. An agreement with the Nebraska Department of Health and Human Services for child support enforcement services for the County Attorney's Office, effective October 1, 1998 through September 30, 2000, at rates as specified in the agreement. (1999221)

**MOTION:** Steinman moved and Hudkins seconded approval. On call Campbell, Steinman, Workman and Hudkins voted aye. Motion carried.

- D. An agreement with the Nebraska Department of Health and Human Services for staff for the Community Mental Health Center's "Community Transition Program", at rates as specified in the agreement. (1999223)

**MOTION:** Hudkins moved and Steinman seconded approval. On call Workman, Steinman, Campbell and Hudkins voted aye. Motion carried.

5E **NEW BUSINESS CONTINUED:**

- E. Authorization for the installation of the following traffic signs: (1999222)
- \* A "School Bus Stop Ahead" sign on South 148<sup>th</sup> Street south of 6900 South 148<sup>th</sup> Street for northbound traffic
  - \* A "Reduced Speed Ahead" sign on Bennet Road east of South 162<sup>nd</sup> Street for eastbound traffic
  - \* On Bennet Road between South 162<sup>nd</sup> Street and South 176<sup>th</sup> Street, install a "45 mile per hour" speed limit sign in place of an existing "50 mile per hour" speed limit sign east of South 162<sup>nd</sup> Street for eastbound traffic and relocation of the existing "50 mile per hour" speed limit sign east of South 162<sup>nd</sup> Street for eastbound traffic and the installation of a "45 mile per hour" speed limit sign for westbound traffic
  - \* On Bennet Road, between South 162<sup>nd</sup> Street and South 176<sup>th</sup> Street, install "Side Road Warning" signs east of South 162<sup>nd</sup> Street for westbound traffic
  - \* A "Stop Ahead" sign on South 120<sup>th</sup> Street north of Firth Road for southbound traffic

**MOTION:** Hudkins moved and Steinman seconded approval of Resolution 99-222. On call Steinman, Hudkins, Workman and Campbell voted aye. Motion carried.

- F. Recommendation from the Purchasing Agent and Lancaster Manor to award a bid to Sid Swanson Electric, in the amount of \$82,400.05, for light fixtures and installation. (1999211)

**MOTION:** Steinman moved and Hudkins seconded approval. On call Workman, Campbell, Hudkins and Steinman voted aye. Motion carried.

- G. Recommendation from the Purchasing Agent and Lancaster Manor to reject two bids received to replace window and door caulking, paint fascia and exterior trim at Lancaster Manor because both bids exceed the amount budgeted for the project. (1999228)

Steinman asked about the amount budgeted.

Kathy Smith, Assistant Purchasing Agent, appeared and indicated approximately \$11,000 had been budgeted based on the initial installation of the caulking and fascia. She stated it was her understanding that Lancaster Manor would perform some initial repairs on their own and try to budget more next year.

**MOTION:** Steinman moved and Workman seconded to reject the bids. On call Hudkins, Workman, Campbell and Steinman voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

- H. Recommendation from the Purchasing Agent and the County Engineer to award a bid to Land Construction Company, Inc. for removal of a corrugated metal pipe (County Structure H-139d), in the amount of \$5,400. (1999227)

**MOTION:** Steinman moved and Workman seconded approval. On call Campbell, Steinman, Workman and Hudkins voted aye. Motion carried.

- I. Recommendation from the Purchasing Agent and the County Engineer to award a bid to L J Webb Contractor, Inc., in the amount of \$154,839.70, for Parts I, II, III and IV for the construction of concrete box culverts at various locations within the County. (1999226)

**MOTION:** Hudkins moved and Steinman seconded approval. On call Hudkins, Campbell, Steinman and Workman voted aye. Motion carried.

- J. A claim, in the amount of \$1,138.92, filed by Mary K Hansen for services rendered to Lancaster County in the course of representing Todd Johns in his claim for Supplemental Social Security Income benefits. (1999207)

Doug Cyr, Deputy County Attorney, indicated the amount should be 25 percent of the \$1,138.92.

**MOTION:** Steinman moved and Hudkins seconded approval of the claim for 25 percent of \$1,138.92. On call Campbell, Hudkins, Workman, Steinman voted aye. Motion carried.

- K. Appointment of Marvin D Little to the Commissioners' Award of Excellence Selection Committee. (1999194)

**MOTION:** Hudkins moved and Steinman seconded approval. Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.

5) **CONSENT ITEMS:** These are items of business before the Lancaster County Board of Commissioners which have been previously supplied to each Commissioner in writing, which are relatively routine and which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

- A. Setting of the following public hearings for Tuesday, February 23, 1999 at 1:30 p.m. in the County Commissioners/City Council Chambers, Room 112, on the first floor of the County-City Building:

6) **CONSENT ITEMS CONTINUED:**

1. County Change of Zone 181, from AG Agricultural to AGR Agricultural Residential, requested by Steven and Carolyn Baily, on property located north and west of the corner of 98<sup>th</sup> Street and Raymond Road in Lancaster County, Nebraska. (1999213)
  2. County Special Permit 167, requested by R and R Partners, to operate a garden center on property located at South 68<sup>th</sup> Street and Bennet Road in Lancaster County, Nebraska. (1999214)
- B. Maintenance agreements between the following:
- \* Records and Information Management and Microfilm Imaging Systems, in the total amount of \$974 (2 contracts) (1999212)
  - \* County Treasurer and KJ Express, at a monthly rate of \$100, beginning January 1, 1999. (1999195)
  - \* Sheriff's Office and Carmichael Business Systems, Inc., in the amount of \$237.60. (1999203)
- C. A user's agreement with Downtown Lincoln Association for remote access to Lancaster County records, at a rate of 1.3 cents per transaction. (1999198)
- D. An agreement with Layman and Associates for professional appraisal services, in the amount of \$3,000. (1999229)
- E. Contracts with the following relating to road improvements:
- \* David R and Fay E Smith on West Davey Road near Northwest 20<sup>th</sup> Street, in the amount of \$937.70 (1999216)
  - \* David E and Jeannie R Seeley on West Fletcher Avenue near Northwest 126<sup>th</sup> Street, in the total amount of \$1,966.45 (3 contracts) (1999217-1999219)

The Clerk noted that the maintenance agreement in Item B between the County Treasurer and KJ Express was dropped from the agenda.

Workman stated that Commissioner Heier asked him to inquire about the cost of a DR 1600 camera.

Kathy Smith, Assistant Purchasing Agent, stated a lot of equipment requires routine maintenance which is built into the cost of the agreement(s) and eliminates costly repairs in the future.

6) **CONSENT ITEMS CONTINUED:**

Bill Jarrett, Chief Deputy Sheriff, stated the Sheriff's Office has four dictating machines which are crucial to the department's operation.

Smith also noted that maintenance agreements may include loaner equipment and gives priority service.

**MOTION:** Steinman moved and Workman seconded approval of the Consent Items with the exception of the agreement between the County Treasurer and KJ Express.

Kerry Eagan, Chief Administrative Officer, stated Item D should be discussed. He noted the Board had agreed to a preliminary letter of opinion, in the amount of \$500 with a formal appraisal to be done at a later date, if necessary.

Eagan suggested that the Board authorize the payment of the \$500 for the preliminary letter of opinion.

**AMENDMENT:** Steinman moved and Workman seconded to amend the previous motion to (a) approve the Consent Items with the exception of the agreement between the County Treasurer and KJ Express which was dropped from the agenda and to (b) authorize the payment of \$500 to John R Layman for a preliminary letter of opinion and to bring back for the Board's approval an amended contract. On call Steinman, Workman, Campbell and Hudkins voted aye. Motion carried.

7) **ADJOURNMENT:**

**MOTION:** Steinman moved and Hudkins seconded adjournment. On call Workman, Hudkins, Campbell and Steinman voted aye. Motion carried.

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Bruce Medcalf  
County Clerk